

REMARKS

This is in reply to the Office Action mailed June 22, 2007. The Examiner has required restriction among eleven groups. The request is traversed on the grounds that the Examiner's assertion that the defined Groups I-XI are "not so linked as to form a single general inventive concept under PCT Rule 13.1" lacks the required support. It is submitted that the burden is on the Examiner to cite appropriate prior art to clearly show that the defined Groups clearly have distinct status in the art. Failing that, a restriction requirement is not proper. It is further submitted that in view of the fees charged for filing of eleven divisional patent applications and prosecution and maintaining the resulting patents places an undue burden on the Applicant, which requires that any restriction or election requirement be clearly supported and made according to the rules.

Nonetheless, Applicant provisionally elects Group II, which is "Claims 1-3, 8-11, 13-20, 25-31 (in-part), drawn to products of the formula wherein Q is R^{6a}; and R¹ is a monocyclic heterocycle."

CONCLUSION

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/TIP0063USPCT/AGK.

Respectfully submitted,

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